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Arnold Schwarzenegger
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TO: Thomas R. Pinkos
Executive Officer
Central Valley Regional Water Board

FROM: Sheila K. Vassey
Senior Staff Counsel
OFFICE OF CHIEF COUNSEL

DATE: SEP 14 2005

SUBJECT: PETITION OF PRESTON AND LOIS AVERY (CLEANUP AND
ABATEMENT ORDER NO. R5-2005-0711), CENTRAL VALLEY WATER
BOARD: HEARING
SWRCB/OCC FILE A-1708

On September 14, 2005, Frances McChesney, legal counsel for the Central Valley Regional Water Quality Control Board (Regional Water Board), informed me that the Regional Water Board will conduct an evidentiary hearing on Cleanup and Abatement Order No. R5-2005-0711 in October 2005. The cleanup order is the subject of a petition filed by Preston and Lois Avery, which is pending before the State Water Resources Control Board (State Water Board).

The Avery's had requested an evidentiary hearing before the State Water Board. Given that the Regional Water Board has agreed to hear the matter, the State Water Board will delay processing the Avery's petition pending further action by the Regional Water Board. Please let me know the final outcome of the Regional Water Board hearing on the order.

If you have any questions regarding this memorandum, please contact me at (916) 341-5173 or Calnet 471-5173.

cc: Mr. Preston and Ms. Lois Avery
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cc: Continued next page

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